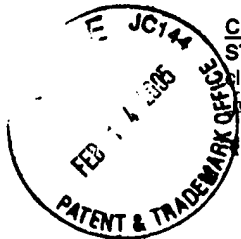


*EW*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

In re Application of: Olsen et al  
For: ACTIVE AIR REMOVAL FROM EXTRACORPOREAL BLOOD CIRCUIT  
Serial No.: 10/743,599  
Filed: 12-22-2003



**CERTIFICATE OF MAILING UNDER 37 CFR 1.8:** I hereby certify that this **INFORMATION DISCLOSURE STATEMENT** and the paper(s), as described herein, are being deposited in the U.S. Postal Service, as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of February, 2005.

*J. L. Brecht*  
Signature  
J. L. Brecht  
Printed Name

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement Transmittal
- ☒ Information Disclosure Statement
- ☒ PTO FORM 1449
- ☒ Copies cited references (Foreign Patents and Other Documents only)
- ☒ Return Postcard

**FEE CALCULATION**

- ☐ \$ 00.00 Pursuant to 37 CFR §1.97(b)
- ☐ \$ 00.00 Pursuant to 37 CFR §1.97(c) with Certification
- ☐ \$ 00.00 Pursuant to 37 CFR §1.97(e) with Certification
- ☐ \$240.00 Pursuant to 37 CFR §1.97(c) without Certification
- ☐ \$130.00 Pursuant to 37 CFR §1.97(d) with Certification

- ☐ Applicant hereby petitions for a \_\_\_\_\_ months' extension of time. If an additional extension of time is required, please consider this petition therefor.
- ☐ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.
- ☒ Please charge any additional fees or credits to Deposit Account No. 13-2546 which may have been overlooked on this Transmittal with regard to this filing. A duplicate of this transmittal is enclosed.

February 10, 2005  
Date

*Jeffrey J. Hohenshell*  
Jeffrey J. Hohenshell  
Reg. No. 34,109  
Telephone: (763) 391-9661  
Customer No.: 27581



PATENT  
Docket: P-11209.06

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): Robert Olsen, et al ) Art Unit: 3761  
Serial No.: 10/743,599 ) Examiner:  
Filed: 12-22-2003 )  
For: ACTIVE AIR REMOVAL FROM AN EXTRACORPOREAL BLOOD CIRCUIT

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

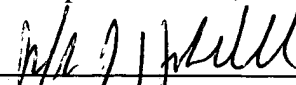
Dear Sir:

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with C.F.R. §§ 1.97 *et. seq.*, the materials enclosed herewith are brought to the attention of the Examiner as possibly being of interest in connection with the above-identified patent application.

Consideration of each of the documents listed on the attached Form 1449 is respectfully requested. Pursuant to the provisions of M.P.E.P. §609, Applicant further requests that a copy of the Form 1449, marked as being considered and initialed by the Examiner, be returned with the next Official Communication.

Respectfully submitted,

Robert W. Olsen, et al  
By their Representatives,

By:   
Jeffrey J. Hohenshell  
Attorney for Applicant  
Registration No. 34,109  
Telephone: (763) 391-9661  
Customer No.: 27581

<b>INFORMATION DISCLOSURE STATEMENT</b>	Atty. Docket No.: P-11209.06	Serial No.: 10/743,599
	Applicant(s): Olsen et al	
	Filing Date: 12-22-2003	Group:

U.S. PATENT DOCUMENTS

[illegible]

**EXAMINER**

**Date Considered**

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<b>INFORMATION DISCLOSURE STATEMENT</b>	<b>Atty. Docket No.: P-11209.06</b>		<b>Serial No.: 10/743,599</b>	
	<b>Applicant(s): Olsen et al</b>			
	<b>Filing Date: 12-22-2003</b>		<b>Group:</b>	

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	SubClass	Translation	
							Yes	No
		EP 1036567A2	02-09-2001	EP				
		DE 4326886A1	02-16-1995	DE				
		WO 96/24397	08-15-1996	WO				
		EP 0351980B1	04-06-1994	EP				
		WO 00/12155	03-09-2000	WO				

**OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)**

		<i>Journal of Extra-Corporeal Technology</i> : "Rapid Pediatric Cardiopulmonary Support System," J.W. OJITO, ET AL., 1997; 29(2):96-99.
		<i>Pediatric Cardiac Anesthesia</i> : "Extracorporeal Circulation and Circulatory Assist Devices in the Pediatric Patient," FRANK H. KERN, et al., 1997; 3rd Ed.:219-258.
		<i>Journal of Extra-Corporeal Technology</i> : "Experimental Use Of An Ultra-Low Prime Neonatal Cardiopulmonary Bypass Circuit Utilizing Vacuum-Assisted Venous Drainage," EDWARD DARLING, et al., 1998; 30(4):184-89.
		<i>Perfusion</i> : "Minimizing The Bypass Circuit: A Rational Step In The Development Of Paediatric Perfusion," MARTIN ELLIOTT, 1993; 8:81-86.
		<i>Zasshi Journal</i> (English Abstract): "The Indications and Limitations of Open Heart Surgery Without Homologous Blood Transfusion in Children and Infants," MASANOBU MAEDA, et al., 1994; 42:1-7.
		<i>Journal of Cardiovascular Surgery</i> : "Clear Prime for Infant Cardiopulmonary Bypass: A Miniaturized Circuit," ERIC WABEKE, et al., 1988; 29(2):117-22.
		<i>Journal of Extra-Corporeal Technology</i> : "A Modification Of The Sarns Conducer Heat Exchanger As A Low Prime Pediatric Cardioplegia System," RONALD GORNEY, et al., 1994; 26(1):37-39.
		<i>International Anesthesiology Clinics</i> : "Pediatric Cardiopulmonary Bypass: A Review of Current Practice," ROBERT C. GROOM, et al., 1996; 34:141-63.
		<i>Journal of Extra-Corporeal Technology</i> : "Micro-Prime Circuit Facilitating Minimal Blood Use During Infant Perfusion," CHARLES M. TYNDAL JR., et al., 1987; 19(3):352-57.
		<i>Ann. Thoracic Surgery</i> : "A Venous Reservoir For Cardiopulmonary Bypass In Newborns And Small Infants," JOHN L. OCHSNER, et al., 1988; 45:686.
		<i>Proc. Eur. Society Artificial Internal Organs</i> : "Automation of Cardiopulmonary Bypass for Open Heart Surgery," P.H. MOOK, et al., 1978; 5:234-37.

**EXAMINER****Date Considered**

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			<b>Applicant(s): Olsen et al</b>					
			<b>Filing Date: 12-22-2003</b>			<b>Group:</b>		
<b>OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)</b>								
			<i>Perfusion</i> : "Mini-Circuit Cardiopulmonary Bypass With Vacuum Assisted Venous Drainage: Feasibility Of An Asanguineous Prime In the Neonate," CHRISTINE L. LAU, et al., 1999; 14:389-96.					
			<i>Artificial Organs</i> : "A Novel Technique for Cardiopulmonary Bypass Using Vacuum System for Venous Drainage with Pressure Relief Valve: An Experimental Study," SATOSHI TAKETANI, et al., 1998; 22(4):337-41.					
			<i>Perfusion</i> : "Paediatric Perfusion Practice in North America: An Update," ROBERT C. GROOM, ET AL., 1995; 10:393-401.					
			<i>Perfusion</i> : "Single Pump Mechanically Aspirated Venous Drainage (SPMAVD) for Cardiac Reoperation," 1996; 11:351-353 (Applicants only have page 351).					
			<i>Ann. Thoracic Surg</i> : "Minimally Invasive Coronary Artery Bypass Grafting," TEA E. ACUFF, M.D., et al., 1996; 61:135-7 (Applicants only have page 135).					
			<i>Ann. Thoracic Surg</i> : "Transpericardial Inferior Vena Caval Cannulation in Thoracic Aorta Operations," EUGENIO NERI, M.D., et al., 1996; 62:1208-1209 (Applicants only have page 1208).					
			<i>Ann. Thoracic Surg</i> : "Minimally Invasive Valve Operations," DELOS M. COSGROVE III, M.D., et al., 1998; 65:1535-9 (Applicants only have page 1535).					
			<i>Ann. Thoracic Surg</i> : "Augmented Femoral Venous Return," LYNN SOLOMON, M.D., et al., 1993; 55:1262-3 (Applicants only have page 1262).					
			Drawing provided by Miami Children's Hospital, drawn on July 7, 1997.					
			Specification Sheets of a venous assisted CB circuit, specification sheets sent between Miami Children's Hospital and Medtronic, Inc., earliest date is December 16, 1998 (7 pages).					
			Specification Sheets of a hybrid CB circuit, specification sheets sent between Miami Children's Hospital and Medtronic, Inc., earliest date is June 20, 1997.					
			Email relating to augmented venous return sent to PerfList@aol.com, PerfList@aol.com is a multiple recipient medical informational email group, sent on April 27, 1997.					
			Email relating to augmented venous return and minimally invasive procedures sent to PerfList@aol.com, PerfList@aol.com is a multiple recipient medical informational email group, sent on April 27, 1997.					
			Email relating to venous drainage sent from Brian Crawford CCP to Jorge Ojito on April 28, 1997.					
			Email relating to augmented venous return sent by Jorge Ojito on April 26, 1997.					
			<i>Ann. Thoracic Surgery</i> : "Assisted Venous Drainage Cardiopulmonary Bypass in Congenital Heart Surgery," JORGE OJITO, et al., 2001; 71:1267-72.					
<b>EXAMINER</b>				<b>Date Considered</b>				
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	<b>Applicant(s): Olsen et al</b>	
	<b>Filing Date: 12-22-2003</b>	<b>Group:</b>

**OTHER DOCUMENTS (Including Authors, Title, Date, Pertinent Papers, etc.)**

		Ann. Thoracic Surgery: "Rapid Cardiopulmonary Support for Children with Complex Congenital Heart Disease," JEFFREY P. JACOBS, et al., 2000;70:742-50.
		"Minimally Invasive & Bypass" computer search results, 1998.
		"Minimally Invasive & Valve" computer search results, 1998.
		"Intersept® Custom Tubing Pack with Carmeda® BioActive Surface" product label, 2003.
		Facsimile transmission sheet from Elly Wierenga, Medtronic, Inc., regarding Carmeda® Data Analysis, September 14, 1998.
		"Venous Pull Circuit" diagram.
		<i>Journal of Thoracic and Cardiovascular Surgery</i> Copyright and Conflict of Interest Statement regarding manuscript entitled "Assisted Venous Drainage Cardiopulmonary Bypass: (AVDCPB) An Alternative Technique in Minimally Invasive Congenital Surgery" signature page, signed by Jorge Ojito, November 25, 1998.
		May 4, 1999 correspondence from John A. Waldhausen, M.D., <i>The Journal of Thoracic and Cardiovascular Surgery</i> , to Redmond Burke, M.D. regarding his manuscript entitled "Assisted Venous Drainage Cardiopulmonary Bypass: an Alternative Technique in Minimally Invasive Congenital Cardiac Surgery."
		June 28, 2000 correspondence from L. Henry Edmunds, Jr., M.D., Editor, <i>The Annals of Thoracic Surgery</i> , to Redmond P. Burke, M.D. regarding his paper entitled "Assisted Venous Drainage Cardiopulmonary Bypass: Safety and Efficacy in Congenital Heart Surgery."
		Program and certificate of participation of Jorge Ojito at Sociedad Chilena de Circulacion Extracorporea, Vina del Mar, Chile, November 12-15, 1998.
		"Assisted Venous Drainage Cardiopulmonary Bypass: Safety and Efficacy in Congenital Heart Surgery" presentation, JORGE OJITO.
		Certificates of participation by Jorge Ojito Jornados Sobre Perfusion Pediatrica y Asistencia Circulatoria Mecanica, Buenos Aires, Argentina, November 17, 1998.
		Cardiologia program, Caracas, Venezuela, June 6-10, 2000.
		"Assisted Venous Drainage Cardiopulmonary Bypass: Safety and Efficacy in Congenital Heart Surgery," presented by JORGE OJITO, Mechanisms of Perfusion XVI, Lake Buena Vista, Florida, May 17-20, 2001.
		"Assisted Venous Drainage During CPB: Safety and Efficacy in Congenital Heart Surgery," presented by JORGE OJITO, The 38 <sup>th</sup> Annual Scientific Meeting of Japanese Society of Pediatric Cardiology and Cardiac Surgery, 2002.
		Comparison of claims in United States Patent No. 6,302,860 (Gremel, et al.) and United States Patent No. 6,337,049 (Tamari).

**EXAMINER****Date Considered**

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